

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

United States of America,)	
)	
vs.)	Case No. 04-3095-02-CR-S-FJG
John Miller,)	
)	
Defendant.)	

ORDER

Pending before the Court is defendant's motion to suppress evidence and statements (Doc. #131), filed August 7, 2007, and the governments suggestions in opposition (Doc. #129), filed August 23, 2007. No evidentiary hearing on the pending motion to suppress was held.

On September 5, 2007, Chief United States Magistrate Judge James C. England entered a report and recommendation (Doc. #130) which recommended denying the above-mentioned motion. No objections to the report and recommendation were filed.

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to suppress evidence (Doc. #131), filed August 7, 2007, must be denied.

Accordingly, it is

ORDERED that the Chief Magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress evidence (Doc. #131), filed August 7, 2007, is denied.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 11/6/07
Kansas City, Missouri